

**Security Council**

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**Report of the Secretary-General on the protection of
civilians in armed conflict****I. Introduction**

1. The present report, which covers the period from January to December 2015, is submitted pursuant to the request contained in the statement by the President of the Security Council of 25 November 2015 (S/PRST/2015/23). In the statement, the reporting period was modified from 18 to 12 months and the Council affirmed that it would formally consider the report each year within the same session of the General Assembly. These developments are welcome. The new annual reporting cycle, coupled with the assurance of regular consideration by the Council, will facilitate systematic monitoring and reporting in support of the efforts of the Council to strengthen the protection of civilians in armed conflict. In the report, I review the state of the protection of civilians across a range of conflicts, discuss the progress made and achievements, identify upcoming opportunities and provide recommendations aimed at enhancing the protection of civilians and promoting a more consistent and systematic approach by the Council.

2. The seventieth anniversary of the establishment of the United Nations, in 2015, provided a unique opportunity to reflect on achievements and prospects. Significant progress has been made, in particular at the normative level, since the Security Council took the historic step, in 1999, of recognizing the protection of civilians as central to its mandate. Nonetheless, the huge number of civilians whose lives are being devastated by armed conflict makes it clear that much more needs to be done in order to fulfil the pledge contained in the Charter of the United Nations to save succeeding generations from the scourge of war. At the end of 2015, more than 60 million people had been forced to flee their homes as a result of conflict, violence and persecution. Humanitarian needs are at record levels and more than 80 per cent of United Nations humanitarian funding is directed at conflict response. The plight of civilians in conflict has been so grave that I issued an unprecedented joint statement with the President of the International Committee of the Red Cross on 31 October 2015 in which we called for urgent action to uphold international law and address human suffering.

3. In the majority of today's armed conflicts, civilians suffer most severely. Every day, they are deliberately or indiscriminately killed or injured, often with complete impunity. Sexual violence shatters the lives of women, men, girls and boys. Towns and cities are pummelled by heavy artillery or air strikes that kill thousands of civilians, destroy vital infrastructure and trigger mass displacement.



Data collected in 2015 by the organization Action on Armed Violence indicated that, when explosive weapons had been used in populated areas, an astonishing 92 per cent of those killed or injured were civilians, including those in playgrounds, hospitals and crowded streets and queuing for food. Behind those figures are families separated and in mourning, entire communities devastated, a cultural heritage lost to the world and a generation of children without an education.

4. The reaffirmation of the Security Council, in the statement by the President of the Council of 25 November 2015, that the protection of civilians remains one of the core issues on its agenda is an important signal that must be translated into action. The year 2015 demonstrated that remarkable results could be attained when the international community acted together. We agreed on an ambitious sustainable development agenda to end global poverty. We adopted a universal climate change agreement, established a new framework to reduce disaster risk and enhance resilience and initiated major peace and security reforms. The inaugural World Humanitarian Summit, to be held on 23 and 24 May 2016 in Istanbul, Turkey, will bring together world leaders, national and international aid organizations, representatives of conflict-affected communities and many others and mark the first major opportunity to demonstrate that those furthest behind must be given priority. In preparation for the Summit, I laid out an Agenda for Humanity (A/70/709, annex) calling upon world leaders to take action to prevent and end conflict, improve the respect for international law, enhance the protection of civilians and strengthen the response to forced displacement.

5. The international community stands at a critical juncture. Member States must seize the opportunity provided by the World Humanitarian Summit to take concrete and collective action, on the basis of clear targets and indicators, to uphold international law and protect civilians in armed conflict. In addition, the Security Council must make concerted and consistent efforts to protect the lives and dignity of civilians affected by armed conflict. We must all work together to deliver on our pledge to leave no one behind and to reach those furthest behind first.

II. State of protection: trends across conflicts

6. Identified in the present report are broad trends and patterns of harm to civilians in armed conflict, on the basis of information provided by United Nations actors and humanitarian organizations operating around the world. Data were collected in a wide range of countries experiencing or recovering from armed conflicts and those hosting large numbers of refugees. Across conflicts, several issues emerged as priorities: improving compliance with international humanitarian and human rights law; ensuring accountability for violations; strengthening the protection of civilians from the use of explosive weapons in populated areas; improving humanitarian access to people in need; protecting humanitarian and health-care personnel and objects; and preventing and better responding to forced displacement. The examples discussed herein are intended to be illustrative rather than exhaustive.

Strengthening compliance with international law is a prerequisite for the protection of civilians

7. Most civilian deaths, suffering and displacement that we witness in armed conflict would be avoidable if parties to conflict respected the fundamental norms of international humanitarian and human rights law. Across conflicts, many parties are routinely defying those laws with utter contempt for human life. Civilians are killed or severely injured in deliberate or indiscriminate attacks. Schools, hospitals and places of worship are deliberately or indiscriminately bombed or shelled. Humanitarian workers are kidnapped or killed, hospitals destroyed and ambulances looted. Sexual violence remains widespread, and there are daily reports of summary executions, arbitrary arrests and detention, abductions, forced disappearances and torture.

8. Such trends are most striking in the Syrian Arab Republic and Yemen, where State and non-State parties to the conflicts show complete disregard for international humanitarian and human rights law. Throughout 2015, indiscriminate air strikes and use of artillery, mortars and rockets killed, injured and displaced millions of civilians in both countries. There was evidence of the use of chemical weapons in the Syrian Arab Republic and reports of the use of cluster munitions in both it and Yemen. Parties to those conflicts committed serious human rights violations against civilians, including unlawful killings, arbitrary detention, torture, sexual violence, enforced disappearances and the taking of hostages. Parties also targeted civilian infrastructure and deliberately disrupted water, electricity and other essential networks. In the Syrian Arab Republic, for example, deliberate water cuts affected 7.7 million civilians in Aleppo, Damascus and Dar'a during the second quarter of 2015.

9. Similar patterns are evident in other conflicts, to varying degrees. In Afghanistan, for example, 11,002 civilian casualties (3,545 killed and 7,457 injured) were recorded in 2015, the highest number since the United Nations began systematically recording casualties, in 2009. Civilian casualties recorded from targeted killings by non-State armed groups increased by 27 per cent compared with 2014, while women and children casualties increased by 37 and 14 per cent, respectively. High civilian casualties were also recorded in Iraq (7,515 killed and 14,855 injured), which marked a decrease compared with 2014. In Iraq, Libya and Nigeria, government forces and non-State armed groups committed serious human rights violations against civilians, including unlawful killings, abductions, torture, enforced disappearances and sexual violence. In Nigeria, Boko Haram increasingly used women and young children as suicide bombers.

10. In South Sudan, there were widespread atrocities, including unlawful killings, abductions, sexual violence and the recruitment and use of children, often targeting civilians along ethnic lines, in 2015. The Global Protection Cluster recorded more than 1,000 civilians killed in southern and central Unity State between April and September 2015 alone. Civilian homes and health and educational facilities were systematically destroyed, livestock looted and crops and seeds deliberately burned. Attacks targeting civilians and farms were also reported in the Democratic Republic of the Congo and the Sudan. In the Central African Republic, 1,263 documented cases of serious human rights violations, committed by government forces and armed groups, affected 2,038 victims.

11. In the occupied Palestinian territory, the construction of illegal settlements continued in 2015, resulting in the loss of property and sources of livelihood, threats to physical security and restrictions on access to services, as addressed in my most recent report on the subject (A/HRC/31/43). The destruction of Palestinian homes and structures displaced 781 people in the West Bank, including East Jerusalem. A new wave of attacks and violence began in October 2015 in the occupied Palestinian territory and Israel, leaving at least 141 Palestinians, 22 Israelis and 2 foreign nationals dead as at the end of 2015.

12. In those and other conflicts, strengthening compliance with international humanitarian and human rights law is a prerequisite for improving the protection of civilians. This is a key focus of my Agenda for Humanity. A failure to take action to promote the respect for international humanitarian and human rights law contributes to civilian suffering and ultimately undermines the law. A world without adherence to common rules and norms is in the interest of no one.

Greater efforts are needed to protect children

13. The pervasive lack of compliance with international humanitarian and human rights law is having a particularly devastating impact on children, as detailed in my most recent report on children and armed conflict (A/70/836-S/2016/360). In several conflicts, including in Afghanistan, the Central African Republic, Somalia, South Sudan and Yemen, grave violations against children increased significantly in 2015 compared with 2014. I reiterate the recommendations set out in that report and call upon the Security Council, Member States and other relevant actors to take specific measures to protect children affected by armed conflict and ensure accountability for grave violations.

14. The military use of schools further jeopardizes the safety of children. In the Democratic Republic of the Congo, for example, 30 incidents of such use were recorded in 2015, compared with 9 in 2014. A total of 20 incidents were recorded in Afghanistan, 40 in South Sudan, 34 in Ukraine and 51 in Yemen. All parties to conflict are obliged to take precautions to protect civilians and civilian objects against the effects of military operations. Since the Oslo Conference on Safe Schools, in May 2015, more than 50 States have endorsed the Safe Schools Declaration and committed themselves to better protecting educational facilities, pupils and teachers from attack, including by incorporating the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict into national legal and operational frameworks. I encourage all Member States to endorse the Declaration.

Conflict-related sexual violence remains rampant

15. Conflict-related sexual violence remains an acute protection concern, in particular among displaced populations. For example, in my most recent report on the issue (S/2016/361), I detailed allegations of mass rapes in the eastern Democratic Republic of the Congo, South Sudan and the Sudan, widespread and systematic sexual violence in Iraq and the Syrian Arab Republic and sexual assaults on women affiliated with the political opposition in Burundi. I reiterate the recommendations contained in that report and call upon the Security Council, Member States and other relevant actors to redouble their efforts to prevent and

respond to conflict-related sexual violence, including by ensuring accountability for perpetrators and helping survivors to heal and rebuild their lives.

16. All States repeatedly listed in my annual reports on children and armed conflict and on conflict-related sexual violence will be prohibited from participating in United Nations peace operations. Troop- and police-contributing countries currently listed for such violations are required to implement specific, time-bound commitments and concrete action plans to address violations in order to be delisted (see Security Council resolution 2242 (2015) and A/70/357-S/2015/682).

Illicit and irresponsible arms transfers fuel violations

17. High levels of arms and ammunition in circulation, combined with poor controls on them, contribute to insecurity and facilitate violations of international humanitarian and human rights law. I reiterate the recommendations in my report of 2015 on small arms and light weapons (S/2015/289) aimed at ending their misuse, diversion and illicit circulation. The Arms Trade Treaty is the key global instrument for regulating weapons transfers and preventing their diversion. I urge Member States not to export weapons when there is a substantial risk that they could be used to commit or facilitate serious violations of international humanitarian or human rights law. All Member States should assess such risks and apply restraint and ratify the Treaty without delay.

Accountability is crucial to deterring violations, promoting reconciliation and providing justice for victims

18. A pervasive lack of accountability for violations was reported across conflicts in 2015. For example, the high civilian casualties in Afghanistan, Iraq, the Syrian Arab Republic and Yemen notwithstanding, there was a clear lack of accountability for incidents in which civilians appeared to have been directly targeted or harmed by an indiscriminate attack. In the occupied Palestinian territory, 18 months after the hostilities in Gaza in 2014, during which some 1,500 Palestinian civilians, 4 Israeli civilians and 1 foreign national were killed and nearly 18,000 homes were severely damaged or destroyed, accountability measures remained inadequate, notwithstanding the finding of the independent commission of inquiry that serious violations, possibly amounting to war crimes, might have been committed (see A/HRC/29/52). In South Sudan, the peace agreement of August 2015 provided for the creation of a hybrid court to try war crimes; however, by the end of 2015, no specific steps had been taken to establish the court ahead of the formation of the Transitional Government of National Unity. Impunity must not be the norm. Systematic accountability for violations of international humanitarian and human rights law is crucial to providing redress for victims, deterring further violations and promoting reconciliation.

More systematic efforts are needed to obtain facts and expose violations

19. Reliable information is essential to identifying trends, facilitating protection efforts, preventing violations and promoting accountability. Human rights monitoring and reporting mechanisms, including the tracking of casualties, are critical. In the Democratic Republic of the Congo, for example, the regular human rights reports of the United Nations served as a basis for encouraging parties to the conflict to improve their compliance with international law. In Afghanistan,

reporting on casualties facilitated advocacy with parties to the conflict, including by demonstrating a need for measures to reduce the impact of their operations on civilians. Information management efforts should be scaled up to systematically collect and analyse information and strengthen reporting on the protection of civilians across conflicts. I commit myself to including such information in my reports on the protection of civilians and in regular briefings to the Security Council.

20. Journalists play a key role in promoting the flow of information, exposing violations and ensuring accountability. Nevertheless, journalists are killed and injured in conflicts throughout the world, often deliberately. In 2015, the United Nations Educational, Scientific and Cultural Organization (UNESCO) condemned the killing of 52 journalists in armed conflict. Member States should inform UNESCO of the status of judicial inquiries into each of those killings and take measures to reinforce the safety of journalists in armed conflict and prevent impunity. I welcome the initiative of Lithuania to hold an open debate on the issue in May 2015 and the adoption by the Security Council of resolution 2222 (2015) and urge Member States to implement the recommendations in my report on the safety of journalists and the issue of impunity (A/70/290).

National and international accountability mechanisms must be strengthened

21. States have the primary responsibility for investigating and prosecuting crimes committed within their jurisdiction. National accountability efforts should therefore be encouraged and supported. In 2015, for example, the Government of the Central African Republic took steps to establish a special criminal court to investigate war crimes and crimes against humanity. In Colombia, peace negotiations between the Government and the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo resulted in a notable reduction in conflict and violence, and agreement was reached to establish a comprehensive truth, justice, reparation and non-repetition system dealing with gross human rights violations. In Mali, a truth, justice and reconciliation commission was established as part of the peace agreement of June 2015. In Senegal, the former President of Chad, Hissène Habré, stood trial for crimes against humanity, torture and war crimes before the Extraordinary African Chambers, the first universal jurisdiction trial in Africa. Important prosecutions were also held in the Democratic Republic of the Congo and Guatemala, among others. The United Nations welcomes these efforts and stands ready to assist other national authorities to strengthen their capacity to investigate and prosecute gross violations of human rights and serious violations of international humanitarian law.

22. International investigative and judicial mechanisms, including fact-finding missions, commissions of inquiry and the International Criminal Court, provide complementary avenues towards accountability where national options prove insufficient. In 2015, the United Nations supported commissions of inquiry into Eritrea, the occupied Palestinian territory and the Syrian Arab Republic, conducted investigations into and fact-finding missions to Iraq, Libya and Sri Lanka, investigated abuses attributed to Boko Haram and conducted a human rights assessment mission to South Sudan. In addition, the Security Council took an important step in adopting resolution 2235 (2015), in which it prescribed measures to promote accountability for the use of chemical weapons in the Syrian Arab Republic, including the development of an Organization for the Prohibition of Chemical Weapons-United Nations joint investigative mechanism.

23. The International Criminal Court made important progress in 2015, including securing its first arrest for the destruction of religious buildings and historic monuments, which had occurred in Mali, and beginning the trial of Bosco Ntaganda for war crimes and crimes against humanity in the Democratic Republic of the Congo. Nonetheless, the Court continued to face serious challenges. Its establishment is one of the great achievements of our time, aimed at ending impunity for the most serious international crimes, meaning that it is deeply concerning that some States parties to the Rome Statute have threatened to withdraw from the Court. Nothing emboldens perpetrators more than knowing that they will not be held to account. I call upon all States parties to reaffirm their commitment to the Court, for other States to ratify the Statute and for all States to cooperate fully with the Court. I also call upon the Security Council to make greater use of its power to refer situations to the Court and to provide more consistent support to enable it to enforce its arrest warrants and other judicial orders.

Greater efforts are needed to protect civilians from explosive weapons in populated areas

24. The use of explosive weapons in populated areas continued to have a devastating impact on civilians. According to global data collected by Action on Armed Violence, 33,307 civilians were reportedly killed or injured by explosive weapons in 2015, representing a slight increase compared with 2014. When explosive weapons were used in populated areas, 92 per cent of those reportedly killed or injured were civilians. The highest number of civilian deaths and injuries from explosive weapons was recorded in the Syrian Arab Republic, followed by Yemen, Iraq, Nigeria and Afghanistan. In addition to those horrific figures, the use of explosive weapons in populated areas triggered displacement and caused long-term damage to civilian homes, services and infrastructure, such as hospitals, schools and water and energy supply systems. Such effects are largely foreseeable and can often be avoided or minimized.

25. The devastation wrought by the use of explosive weapons in populated areas was especially evident in the Syrian Arab Republic and Yemen. In 2015, Action on Armed Violence recorded almost 9,000 civilian deaths and injuries from explosive weapons in the Syrian Arab Republic and more than 6,000 in Yemen. Approximately half of those deaths and injuries were a result of air strikes. In the Syrian Arab Republic, the United Nations Children's Fund reported more than 900 instances of the killing and maiming of children in 2015 as a result of explosive weapons being used in populated areas. Throughout Yemen, the Office for the Coordination of Humanitarian Affairs reported that water infrastructure serving more than 900,000 people had been damaged or destroyed by explosive weapons and that some 15 mosques and 45 educational and cultural centres had been bombed or shelled.

26. Similar patterns of harm were evident in other conflicts. In Afghanistan, many of the 11,002 civilian deaths and injuries recorded by the United Nations Assistance Mission in Afghanistan in 2015 resulted from ground operations involving explosive weapons, often in populated areas. Explosive weapons continued to cause high civilian casualties in Iraq, in particular in towns and cities. For example, on 13 August 2015, a government air strike hit a hospital in Fallujah, killing at least 22 civilians and wounding up to 39 others. Government aerial bombardments were also reported in several villages in the Sudan, in particular between January and

June 2015. In Libya and Ukraine, the parties to conflict continued to use heavy artillery in populated areas. According to the Office for the Coordination of Humanitarian Affairs, some 150 health-care facilities and 400 schools in Ukraine were damaged or destroyed by explosive weapons in 2015. Nigeria was reportedly the country worst affected by suicide bombings, with 2,181 civilian deaths and injuries from suicide bombings recorded by Action for Armed Violence in 2015, an increase of 190 per cent compared with 2014.

27. The use of explosive weapons leaves explosive remnants of war, which can kill and injure civilians for decades after hostilities have ended. For example, according to the Mine Action Service, Ninawa and south Kirkuk in Iraq remained heavily contaminated by explosive hazards, which impeded humanitarian action and prevented displaced civilians from returning to their homes. In the occupied Palestinian territory, the Office for the Coordination of Humanitarian Affairs reported that only 30 per cent of the 7,000 explosive remnants of war estimated to remain from the hostilities in Gaza in the second quarter of 2014 had been confirmed as removed.

28. I repeat my call for parties to conflict to refrain from the use of explosive weapons with wide-area effects in populated areas, owing to the widespread and predictable pattern of harm that results from such use. I encourage Member States to develop policy guidance aimed at reducing the humanitarian impact of explosive weapons in populated areas, to engage constructively in continuing efforts to develop a political declaration to address the issue and to support efforts to protect civilians from contamination arising from explosive remnants of war.

Humanitarian access is essential for civilians to receive life-saving assistance and protection

29. Humanitarian access is essential for civilians to receive the assistance and protection that they need. Humanitarian organizations must be able to engage systematically with all parties to conflict in order to gain and maintain access and alleviate suffering. Previous trends continued in 2015, with some parties to conflict imposing cumbersome administrative procedures that restricted the movement of humanitarian convoys or personnel and hindered the delivery of food or other essential goods to people in need, which had a devastating impact on civilians in many conflicts.

30. For example, a range of administrative and other impediments affected humanitarian access in Somalia in 2015. They included a ban on the transportation by road of relief supplies from Somaliland to Puntland, which delayed the delivery of food, nutritional supplements, health supplies and water and sanitation items to vulnerable civilians. In the Sudan, cross-line humanitarian access to non-government-controlled areas in Southern Kordofan and Blue Nile States remained cut off, while access to most of the Jebel Marra area in Darfur remained cut off or heavily restricted. In addition, administrative restrictions affecting travel authorizations and the issuance of visas for humanitarian personnel hampered protection-related activities.

31. In Ukraine, the Government and non-State armed groups imposed cumbersome administrative procedures that hampered humanitarian operations in the east. As at July 2015, United Nations and international non-governmental organization operations were suspended in some non-government-controlled areas, most notably

in Donetsk but also in Luhansk, as a result of onerous accreditation procedures and other impediments imposed by the de facto authorities. The situation affected some 3 million people who faced difficulties in gaining access to high-quality health care, accommodation, social services and benefits.

32. In Yemen, intense shelling, ground fighting and coalition air strikes had an impact on humanitarian operations and prevented millions of people from having access to key services. In addition, some parties to the conflict imposed bureaucratic impediments that delayed or impeded the delivery of humanitarian assistance. One striking example was the persistent denial of approval by the Houthi authorities between August and December 2015 for the delivery of humanitarian supplies to 175,000 civilians in an enclave of the city of Ta'izz. The entry of United Nations staff into Yemen was impeded by significant visa delays by the local authorities, which affected humanitarian operations. Of particular concern was the repeated obstruction by the local authorities of a country-wide United Nations emergency food security and nutrition assessment, the reports of a looming food crisis notwithstanding.

33. In the Syrian Arab Republic, the Government continued to impose administrative procedures that severely constrained the delivery of humanitarian assistance across conflict lines. Of the 113 requests made in 2015 for government authorization of inter-agency convoys to cross-line locations, almost 75 per cent went unanswered. Some 393,700 people remained besieged at the end of 2015. Twice as many people were living in besieged or hard-to-reach areas compared with 2013. In 2015, the United Nations was able to deliver humanitarian assistance only to approximately 1 per cent of people in besieged areas and less than 10 per cent of people in hard-to-reach areas per month. I reiterate that parties to conflict are prohibited from using starvation of the civilian population as a method of warfare. Such conduct should be prosecuted as a war crime.

34. The above examples illustrate the daily struggle faced by many humanitarian organizations to reach people in need. Parties to conflict have the primary responsibility for meeting the basic needs of civilians under their control. Whenever these needs are not being met, States must not arbitrarily withhold consent to impartial humanitarian relief operations. Once consent is granted, parties to conflict are obliged to allow and facilitate rapid and unimpeded humanitarian access. Member States and the Security Council should work to overcome and address instances of arbitrary denial of access. The forthcoming Oxford guidance on the law relating to humanitarian relief operations in situations of armed conflict, which the Office for the Coordination of Humanitarian Affairs commissioned on my request, should enhance understanding of such a legal framework and inform policies to improve humanitarian access.

Humanitarian and health-care personnel and objects must be respected and protected

35. The delivery of food, water, medicine, essential health services and shelter to civilians in need demands the utmost respect and protection. Nevertheless, humanitarian and health-care personnel and objects are frequently attacked or threatened, in some cases as a tactic of war. The Aid Worker Security Database recorded 238 aid workers killed, kidnapped or seriously wounded in 2015. Afghanistan saw the highest number of recorded victims, followed by South Sudan,

Somalia, the Democratic Republic of the Congo and Yemen. Almost 90 per cent of the victims were national staff, who accounted for the overwhelming majority of humanitarian personnel.

36. Whenever aid workers or facilities are attacked or convoys or ambulances looted, a rapid deterioration in access to food, medicine and shelter by affected people ensues. This situation prolongs suffering and has long-term consequences that undermine the capacity to meet essential needs and development goals. In South Sudan, for example, violence or threats against humanitarian personnel and objects in 2015 led to the cancellation or suspension of relief operations on 210 occasions. Vital humanitarian supplies were destroyed, damaged or looted, including shelters, mosquito nets, health supplies, fuel and liquid containers, water tanks, educational supplies and nutritional supplements.

37. The prevalence of violence against health-care personnel, facilities and means of transportation is especially alarming, in particular in the light of their special protection under international humanitarian law. In Afghanistan, for example, there was a significant increase in recorded attacks against health-care infrastructure in 2015, including 63 such attacks by anti-government forces, marking an increase of 47 per cent compared with 2014. On 3 October 2015, a Médecins sans frontières trauma hospital in Kunduz was hit during coalition air strikes. At least 42 people were killed and 43 injured, including 49 health-care personnel. The hospital was the only one of its kind in north-eastern Afghanistan. It had treated more than 68,000 emergency patients since it opened in 2011, and its destruction left thousands without access to emergency health care. A joint investigation by the United States of America and the North Atlantic Treaty Organization found that the air strike had been a "tragic and avoidable" accident caused primarily by human error.

38. In the Syrian Arab Republic, the World Health Organization estimates that almost half of all health-care facilities are closed or only partially functioning and that the same proportion of health-care personnel have died or fled the country. Of the 33 public hospitals open in the city of Aleppo in 2010, fewer than 10 were functioning at the end of 2015 (see A/HRC/31/68). Violence against health-care personnel and objects has played a major role in decimating the health-care system. In 2015, Physicians for Human Rights recorded 122 attacks on 93 health-care facilities, in which 107 health-care personnel were killed, with 116 of those attacks involving aerial bombardments. There were also multiple cases of medical supplies being removed from humanitarian convoys. For example, the World Health Organization reported nine incidents of the removal of medical supplies from United Nations convoys destined for Homs, Aleppo and Damascus governorates, depriving more than 140,000 people of vital medical support.

39. In Yemen, some 600 health-care facilities have closed owing to conflict damage or a shortage of critical supplies or health-care workers. In 2015, the United Nations recorded 59 attacks on 34 health-care facilities. Beginning in October 2015, four of the health-care facilities of Médecins sans frontières in Yemen were hit by coalition forces in less than three months, including a hospital in Haydan, Sa'dah governorate, which served some 200,000 people.

40. We must do more to reverse such a deplorable trend. I remind all State and non-State parties to conflict that they are bound by a strict obligation to respect and protect health-care personnel, facilities and means of transportation, as well as the

wounded and sick, in armed conflict. Hospitals should be sanctuaries in times of war. Set out in Security Council resolution 2286 (2016) are specific measures to strengthen the protection of health care in armed conflict. I urge all Member States, parties to conflict and other relevant actors to implement those measures in order to restore an environment respectful of medical missions.

Collective action is needed to address forced displacement

41. More than 60 million people were displaced by conflict, violence and persecution as at the end of 2015. According to the Internal Displacement Monitoring Centre, the number of people internally displaced by conflict and violence increased by more than 2.8 million in 2015 to an unprecedented 40.8 million. In addition, the number of refugees surpassed 20 million for the first time in 20 years.

42. In 2015, conflict, violence and persecution forced large numbers of people to flee their homes, either within or across borders, in Afghanistan, Burundi, Cameroon, the Central African Republic, Chad, the Democratic Republic of the Congo, Iraq, the Niger, Nigeria, Pakistan, the Philippines, South Sudan, the Sudan, the Syrian Arab Republic, Ukraine and Yemen. In addition to the millions fleeing the Syrian Arab Republic, significant refugee movements included those from the Central African Republic to Cameroon, Chad and the Democratic Republic of the Congo, from Burundi to the United Republic of Tanzania and Rwanda and, to a lesser extent, the Democratic Republic of the Congo and Uganda and from South Sudan to Ethiopia and the Sudan. Turkey was the largest refugee-hosting country, followed by Pakistan, Lebanon, the Islamic Republic of Iran, Ethiopia and Jordan.

43. The immense scale of the global displacement crisis was evident in numerous contexts. For example, at least 2.3 million Yemenis were internally displaced as at the end of 2015. Conflict-induced displacement in Afghanistan reached a record 1.17 million people, with 384,480 new internally displaced persons in 2015 alone, an increase of 96 per cent compared with 2014. In Iraq, more than 500,000 people fled Ramadi in April and May 2015 when Islamic State in Iraq and the Levant launched attacks and seized control. At the end of 2015, the number of internally displaced persons in the country had reached 3.3 million. In the Syrian Arab Republic, 1.2 million people were internally displaced in 2015 and the total number of internally displaced persons as at 31 December 2015 was 6.5 million, in addition to 4.6 million people who had fled the country. In Gaza, some 90,000 people remained displaced from the hostilities of 2014, while throughout the region many of the 5 million Palestine refugees became increasingly vulnerable as a result of the conflict in the Syrian Arab Republic.

44. The majority of refugees and internally displaced persons were living in host communities, often in urban areas, rather than in camps. In Nigeria, for example, only 7.5 per cent of the country's 2.2 million internally displaced persons were living in camps or camp-like sites at the end of 2015. In Ukraine, most of the 1.7 million internally displaced persons were living in host communities and had moved at least twice in the course of their displacement; one third had moved three or more times. In the Central African Republic, some 260,000 internally displaced persons were living with host families, while another 200,000 were residing in camps or camp-like sites and an estimated 36,000, primarily from minority groups, were stranded in enclaves throughout the country. In South Sudan, more than

190,000 internally displaced persons were sheltered in United Nations sites for the protection of civilians, nearly double the number at the beginning of 2015, while almost 1.5 million were living outside those sites.

45. Safety and protection remained key concerns. In many contexts, refugees and internally displaced persons were subject to human rights violations, including incidents of refoulement or unlawful eviction, targeted killings, torture and ill-treatment, sexual and gender-based violence, early and forced marriage, child abduction, forced recruitment, including of children, into armed groups and arbitrary arrest. In north-eastern Nigeria, some 70 per cent of vulnerable households of internally displaced persons had reportedly experienced or were at risk of sexual and gender-based violence. In Somalia, protection agencies recorded 9,582 cases of sexual and gender-based violence in 2015; 75 per cent of them were perpetrated in settlements of internally displaced persons.

46. National Governments have the primary responsibility for assisting and protecting refugees and internally displaced persons on their territory. Humanitarian organizations play a key role in supporting national Governments and addressing the most immediate needs of the displaced. With the average length of displacement estimated at some 17 years, however, such support is insufficient. Protracted displacement is as much a political and development challenge as a humanitarian one. In the long term, refugees and internally displaced persons need jobs, secure housing and education for their children. Host communities need financial, political and policy support to manage the associated humanitarian and socioeconomic impacts.

47. The importance of addressing forced displacement as part of sustainable development is recognized in the 2030 Agenda for Sustainable Development. To achieve this, we need a new approach that focuses not only on meeting immediate humanitarian needs, but also on reducing the vulnerability and improving the resilience, self-reliance and protection of the displaced and their host communities. Doing so requires more coordinated efforts by humanitarian and development actors, as outlined in my Agenda for Humanity. In addition, the full implementation of protection standards that reflect the 1951 Convention relating to the Status of Refugees and its Protocol of 1967, including the principle of non-refoulement, as well as applicable regional refugee instruments, is essential to protecting refugees. Strong protection frameworks are also needed for the protection of internally displaced persons. The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa is a good model, and I encourage its full implementation in Africa and the development of similar frameworks in other regions. The World Humanitarian Summit provides a unique opportunity to make progress on all these issues.

48. On 19 September 2016, the General Assembly will hold a high-level plenary meeting on large movements of refugees and migrants. It will build on my report on addressing large movements of refugees and migrants (A/70/59) and my Agenda for Humanity. Countries and communities hosting large numbers of refugees provide a global public good and should be supported accordingly. A new global compact for the predictable and equitable sharing of responsibility is needed. Member States should engage constructively in the meeting and the World Humanitarian Summit to ensure that those displaced by conflict, violence and persecution, who are among the most vulnerable in the world, are not left behind.

III. Progress, achievements and opportunities

49. Important steps have been taken at the normative and policy levels to address some of the concerns highlighted herein. Progress has been made in some areas. Nonetheless, the task of protecting civilians on the ground has remained onerous. The coming months will provide significant opportunities to improve the plight of civilians in armed conflict. We must seize such opportunities and translate our normative and policy progress into strengthening the protection of civilians on the ground.

Resetting the global agenda to enhance the protection of civilians in armed conflict

50. A series of major reform processes in 2015 reviewed key building blocks of the global system and made bold and transformative recommendations. Of particular significance was the universal, indivisible and integrated vision that Member States set out in the 2030 Agenda for Sustainable Development. Its strong focus on the most vulnerable, including displaced people, encourages us to place the protection of civilians at the fore. Other significant initiatives in 2015 included the High-level Independent Panel on Peace Operations, my report on the future of United Nations peace operations (A/70/357-S/2015/682), the report of the Advisory Group of Experts on the Review of the Peacebuilding Architecture (A/69/968-S/2015/490) and the global study on the implementation of Security Council resolution 1325 (2000) on women and peace and security.¹ All those processes emphasized the need to prevent crises rather than respond to them after the fact, at far greater human and financial costs, and the need to work across institutional silos to address complex challenges. Such messages are critical to strengthening the protection of civilians in armed conflict.

51. These efforts complement my Rights Up Front Initiative, which is intended to ensure that the United Nations system takes early, collective and effective action to prevent or respond to large-scale violations of human rights. My recent report on the World Humanitarian Summit and my Agenda for Humanity build on these initiatives and, in them, I call upon global leaders to take concrete and collective action to improve the respect for international law and enhance the protection of civilians in armed conflict.

Strengthening compliance with international humanitarian law

52. At the 32nd International Conference of the Red Cross and Red Crescent, held in December 2015, the continued relevance of international humanitarian law for regulating the conduct of parties to conflict and protecting civilians was highlighted. The need to redouble efforts to address gaps and weaknesses in the implementation of the law was also stressed. Several important resolutions were passed, including those on sexual and gender-based violence and the protection of health care. All States committed themselves to participating in an intergovernmental process, facilitated by Switzerland and the International Committee of the Red Cross, aimed at reaching an agreement on the features of a possible forum of States on international humanitarian law. They also agreed to find ways to enhance the

¹ Available from <http://wps.unwomen.org/~media/files/un%20women/wps/highlights/unw-global-study-1325-2015.pdf>.

implementation of international humanitarian law, using the potential of the International Conference and regional forums on international humanitarian law. I encourage all Member States and other relevant actors to engage constructively in this process.

Advancing the protection of civilians agenda in the Security Council

53. In the statement by the President of the Security Council of 25 November 2015, the Council reaffirmed that the protection of civilians remained a core issue on its agenda. Annexed to that statement was an updated aide-mémoire for the consideration of issues pertaining to the protection of civilians in armed conflict, in which relevant developments in the language and practice of the Council were highlighted and useful guidance was provided to the Council. I welcome the initiative of Uruguay in organizing an open debate on the protection of civilians, in January 2016. Such debates provide an essential forum for Member States to discuss key cross-cutting issues, such as compliance, accountability and humanitarian access, and to facilitate dialogue between the Council and the wider membership in order to make progress on the protection of civilians.

54. The Security Council's informal Expert Group on the Protection of Civilians met eight times in 2015 to discuss Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Iraq, Mali, South Sudan and the Sudan (Darfur). Those briefings presented a humanitarian perspective on the protection of civilians and enabled a wide range of protection actors to channel concerns and recommendations to the Council to inform its deliberations. I encourage the Council to continue to make regular use of the Expert Group and to consider broadening its agenda to encompass other situations of concern, including where peace operations are not deployed.

Prioritizing the protection of civilians in United Nations peace operations

55. The protection of civilians is first and foremost a responsibility of Governments, but it must also be a priority for United Nations peace operations. Both the High-level Independent Panel on Peace Operations and I, in my report on the future of United Nations peace operations, stressed that the protection of civilians was an obligation of all United Nations peace operations and recognized the contributions of the military, the police and civilians in that regard.

56. I have instructed all peacekeeping and special political missions to identify ways to protect civilians, using all available tools and recognizing that the sustainable protection of civilians ultimately requires political solutions. A total of 8 of 10 peacekeeping operations with mandates to protect civilians currently have whole-of-mission strategies that identify threats to civilians and outline a coordinated approach to addressing them. I have directed that dedicated senior protection of civilians advisers be deployed in all missions with explicit protection mandates and with a direct reporting line to the head of mission in order to advise on the development of strategies for the protection of civilians and to coordinate their implementation. Other peace operations, including relevant special political missions, should develop similar strategies. Such strategies should complement the protection strategies of humanitarian actors. While a clear distinction must be drawn between political or military action and humanitarian action, the respective roles should be understood and opportunities for complementarity maximized.

57. Community engagement is critical. Tools such as community alert networks and community liaison assistants, first deployed in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, have proved invaluable in understanding perceptions of threat at the community level, including how communities are intended to reduce risk and how peace operations can address them. The United Nations Mission in South Sudan, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and the United Nations Multidimensional Integrated Stabilization Mission in Haiti have deployed community liaison assistants, adapting their functions to focus on the needs, aspirations and concerns of communities. Additional efforts are needed to develop more strategic and cohesive approaches to community engagement, leveraging the work of different mission components and working in coordination with humanitarian actors.

58. The credibility of United Nations peacekeepers depends largely on their willingness and capability to act when civilians are threatened. The adoption in 2015 of the Kigali Principles on the Protection of Civilians, which contain pledges by Member States aimed at the effective implementation of mandates to protect civilians, is a significant milestone. Newly developed indicators will help missions to assess the effectiveness of such mandates and will therefore enhance accountability. Guidance is also being developed to enhance mission reporting on the protection of civilians, including on escalating threats to civilians, high-risk situations and the capacities required by peacekeepers to respond. Any failure by peacekeepers to act or follow orders will be brought to the attention of the Security Council. In turn, the Council must be ready to provide political and operational support when threats to civilians arise, including through the greater prioritization of mandates, as exemplified by the reduced scope of the mandate of the United Nations Mission in South Sudan following the outbreak of conflict in that country in 2013.

Preventing and addressing sexual exploitation and abuse

59. Deeply concerning reports emerged in 2015 of sexual exploitation and abuse committed by United Nations personnel against the very civilians whom they had been charged with protecting, including children. The world was outraged, in particular by allegations of sexual violence committed by United Nations peacekeepers and other foreign forces in the Central African Republic. The United Nations has zero tolerance for sexual exploitation and abuse and demands full accountability at all levels. This can be achieved only with a strong commitment from Member States. I have formulated an enhanced programme of action to prevent and combat sexual exploitation and abuse by United Nations personnel, in particular United Nations peacekeepers (see A/70/729). I welcome the endorsement of the Security Council, in its resolution 2272 (2016), of those measures in relation to peacekeepers and call upon Member States to work with the United Nations to implement them effectively.

60. I also welcome the endorsement by the Inter-Agency Standing Committee principals of 11 December 2015 of a statement on sexual exploitation and abuse focusing on humanitarian personnel. The statement includes specific commitments aimed at preventing and strengthening responses to sexual exploitation and abuse in humanitarian operations. I call upon all relevant actors to implement the commitments without delay.

Ensuring the centrality of protection in humanitarian action

61. The humanitarian community took significant steps in 2015 to place the protection of civilians at the centre of a humanitarian response. The independent whole-of-system review of protection in humanitarian crises, commissioned by the Inter-Agency Standing Committee, offered recommendations to enable the humanitarian system to respond more effectively to protection threats, vulnerabilities and violations and to support protective action taken by affected people themselves. This will inform the development of a new protection policy by the Committee. In addition, humanitarian country teams in Iraq, South Sudan and the Syrian Arab Republic developed protection strategies that encompass the full range of humanitarian actors, including those without specific protection mandates.

62. Humanitarian action and peacekeeping can play key roles in saving lives and preserving human dignity, but they are no substitute for sustained political efforts to uphold international law and prevent and resolve conflicts. Where conflict cannot be avoided, full compliance with international humanitarian and human rights law by parties to conflict is an essential precondition for the protection of civilians. In the long term, protecting civilians necessitates addressing the root causes of conflicts and negotiating sustainable peace. The World Humanitarian Summit should be the turning point at which we recommit ourselves, as our first and foremost responsibility to humanity, to taking concrete and collective action to prevent and end conflicts and build peace.

IV. Recommendations

63. Recalling the numerous recommendations in my previous reports and in my Agenda for Humanity, I emphasize the importance of the measures set out below.

Improve compliance with international law and ensure accountability for violations

64. The Security Council should:

(a) Systematically condemn violations of international humanitarian, human rights and refugee law;

(b) Take action on the most serious violations, including by applying targeted measures against perpetrators, mandating commissions of inquiry or fact-finding missions and referring situations to the International Criminal Court where national efforts are insufficient;

(c) Provide consistent support to the Court to enable it to enforce its arrest warrants and other judicial orders.

65. Parties to conflict should:

(a) Take specific steps to improve compliance with the rules of distinction, proportionality and precautions of international humanitarian law, including through appropriate education and training;

(b) Stop the military use of hospitals, schools and places of worship;

(c) Respect the civilian and humanitarian character of camps and settlements for refugees and internally displaced persons.

66. Member States should:

(a) Ensure that national legislation, policy and practice conform to international instruments, including by creating national committees to advise Governments, putting in place the appropriate doctrine and training of armed forces, sharing best practices among Member States and developing tools such as guidelines, technical explanations and national protection of civilians policies;

(b) Support the development of mechanisms to systematically collect and analyse information and strengthen the reporting on the protection of civilians in armed conflict;

(c) Adopt national legislation encompassing the full range of international crimes and universal jurisdiction over them and strengthen national law enforcement and impartial judicial systems;

(d) Systematically condemn violations of international humanitarian, human rights and refugee law and bring such violations to the attention of the Security Council;

(e) Investigate and prosecute allegations of serious violations of international humanitarian, human rights and refugee law;

(f) Ratify the Rome Statute and provide adequate political, technical and financial cooperation and support to the International Criminal Court.

Strengthen the protection of civilians from the use of explosive weapons in populated areas

67. Parties to conflict should refrain from using explosive weapons with wide-area effects in populated areas.

68. Member States should raise awareness of the widespread and predictable pattern of harm that results from the use of explosive weapons with wide-area effects in populated areas, collect and share practice and policy on minimizing such harm and engage constructively in the ongoing process to develop a political declaration addressing the issue.

Authorize, allow and facilitate humanitarian access

69. The Security Council should:

(a) Systematically remind parties to conflict of their obligation to allow and facilitate rapid and unimpeded humanitarian access;

(b) Systematically condemn any instances of the arbitrary withholding of consent to impartial humanitarian relief operations or the depriving of civilians of objects indispensable to their survival, including wilfully impeding relief supply and access, and emphasize that such acts constitute violations of international humanitarian law.

70. Parties to conflict should:

(a) Meet the essential needs of the civilian population under their control;

(b) Respect and promote the respect for the principles of humanitarian action, namely, humanity, neutrality, impartiality and independence;

(c) Fulfil their obligation to allow and facilitate rapid and unimpeded humanitarian access, including by adopting clear, simple and expedited procedures.

71. Member States should:

- (a) Consent to impartial humanitarian relief operations;
- (b) Systematically condemn any instances of the arbitrary withholding of consent or of an impediment to impartial humanitarian relief operations and address them proactively, including through the Security Council;
- (c) Take steps to ensure that impartial humanitarian actors can engage in dialogue and coordinate with all parties to conflict in order to gain and maintain access and respond to humanitarian needs in safety.

Respect and protect the humanitarian and medical mission

72. The Security Council should:

- (a) Systematically remind parties to conflict of their obligations to respect and protect humanitarian and health-care personnel and objects;
- (b) Systematically condemn attacks against humanitarian and health-care personnel and objects and call for effective investigations to be conducted into such incidents.

73. Parties to conflict should develop effective measures to prevent and address violence against humanitarian and health-care personnel and objects.

74. Member States should adopt and implement legislative, regulatory and practical measures to implement their international obligations pertaining to the protection of the wounded and sick, as well as humanitarian and health-care personnel and objects.

Prevent and support durable solutions to forced displacement

75. The Security Council should:

- (a) Systematically call for the protection of refugees and internally displaced persons, encourage Member States to support the creation of durable solutions to forced displacement and call upon United Nations peace operations to support such efforts, in close coordination with humanitarian and development actors;
- (b) Systematically remind parties to conflict of the civilian and humanitarian character of camps and settlements for refugees and internally displaced persons and condemn any instances of direct attacks on them.

76. Member States should:

- (a) Commit themselves to promoting safe, dignified and durable solutions for internally displaced persons and working towards a target of reducing internal displacement by 50 per cent by 2030;
- (b) Develop national legislation, policies and capacities for the protection of refugees and internally displaced persons and their integration into national social safety nets, educational programmes, labour markets and development plans, and direct appropriate resources to address their needs;

(c) Adopt and implement regional and national legal and policy frameworks to enhance the protection of internally displaced persons;

(d) Develop a new global compact for the sharing of responsibility for refugees in order to safeguard the rights of refugees, while also effectively and predictably supporting States affected by refugee movements;

(e) Actively work to uphold the institution of asylum and the principle of non-refoulement.

Prioritize the protection of civilians in United Nations peace operations

77. The Security Council should continue to accord priority to the protection of civilians in mandates for peace operations in situations in which civilians are at a high risk of violence, including by sequencing and phasing mandated tasks.

78. Member States should:

(a) Ensure that the military and police personnel whom they contribute to peace operations uphold the highest human rights standards, receive predeployment training on the protection of civilians, child protection and conflict-related sexual violence according to United Nations standards and perform their duties in line with their mandate and rules of engagement;

(b) Respond to capacity challenges, including by providing important resources, such as air mobility assets and early warning tools.

79. Member States hosting peace operations should work closely with them to protect civilians, without prejudice to their primary responsibility, and should consider compacts with the United Nations to support civilian protection.